



State of Tennessee

PUBLIC CHAPTER NO. 953

SENATE BILL NO. 1766

By Massey

Substituted for: House Bill No. 2520

By Armstrong, Miller, Stewart, Swann, Cooper, Towns

AN ACT to amend Tennessee Code Annotated, Title 57, Chapter 4, Part 1, relative to consumption of alcoholic beverages on premises.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 57-4-102(8), is amended by adding the following language as a new subdivision (L):

(i) "Club" also means a for-profit recreational club, organized and existing under the laws of this state, which is located in a county having a population of not less than four hundred thirty-two thousand two hundred (432,200) nor more than four hundred thirty-two thousand three hundred (432,300) as of the 2010 federal census or any subsequent federal census, and further possesses the following characteristics:

(a) Has at least three hundred (300) members, as of December 23, 2015, paying dues with a copy of membership applications on file on the premises and which issues to its members a membership card which authorizes admittance of the member and bona fide guests of such member;

(b) Is organized and operated exclusively for recreation and provides a regulation eighteen-hole golf course for the use of its members and guests, and also may offer for the use of its members and guests a swimming pool and other recreational amenities;

(c) Has a clubhouse with not less than ten thousand square feet (10,000 sq. ft.) with a suitable kitchen, dining facilities, and equipment, serving at least one (1) meal daily at least five (5) days a week;

(d) The club may not compensate or pay any officer, director, agent, or employee any profits from the sale of alcoholic or malt beverages based on the volume of those beverages sold; and

(e) The premises, as provided in § 57-4-101(a)(2) for a club, whether such parcels comprising the club premises are contiguous or not, shall also include the golf course, including beverage carts; tennis courts; all areas of the clubhouse; the area immediately surrounding the swimming pool, if a club offers such amenities; and all other related recreational facilities; and

(f) Does not discriminate against members or potential members or bona fide guests of such members on the basis of gender, race, religion, or national origin.

(ii) It is the express intention of the general assembly that the law concerning the purchase or possession of alcoholic beverages by persons under twenty-one (21) years of age be strictly enforced by the club.

SECTION 2. Tennessee Code Annotated, Section 57-4-102(19), is amended by adding the following language as a new, appropriately designated subdivision:

(G) "Historic performing arts center" also means a facility possessing each of the following characteristics:

(i) The center:

(a) Is located adjacent to a restored theater that is at least fifty (50) years old and listed on the national register of historic places; and

(b) Shares a plaza with such restored theater;

(ii) The center is operated by a for-profit corporation, or not-for-profit corporation which is exempt from taxation under Section 501(c) of the Internal Revenue Code of 1954 (26 U.S.C. § 501(c)), as amended, where no member or officer, agent or employee of any historic performing arts center shall be paid, or directly or indirectly receive, in the form of salary or other compensation any profits from the sale of alcoholic beverages beyond the amount of such salary as may be fixed by its governing body for the reasonable performance of their assigned duties. All profits from the sale of alcoholic beverages by a not-for-profit corporation shall be used for the operation and maintenance of the historic performing arts center, and in furtherance of the purposes of the organization. All profits from the sale of alcoholic beverages by a for-profit corporation shall be used for the operation, renovation, refurbishing, and maintenance of the center. Alcoholic beverages may be sold before, during, and after events or during intermissions in such events;

(iii) The center provides facilities for programs of cultural, civic, and educational interest to further the mission of the for-profit or not-for-profit corporation, including, but not limited to, stage plays, musical concerts, films, dance performances, receptions, exhibitions, seminars, or meetings; and

(iv) The center is located in a county having a population of more than nine hundred thousand (900,000), according to the 2010 federal census or any subsequent federal census.

SECTION 3. Tennessee Code Annotated, Section 57-4-102(26), is amended by adding the following language as a new, appropriately designated subdivision:

(KKKK) A commercially operated facility possessing each of the following characteristics:

(i) Has been in operation as an inn since November 3, 2002;

(ii) Is located within one-half (1/2) mile of a city park;

(iii) Has a total of eight (8) guest rooms in the main house;

(iv) Has a separate cottage that also houses at least one (1) transient suite, as well as workspaces and storage;

(v) Has at least one (1) kitchen on the premises and offers at least one (1) meal daily;

(vi) Has an open-air, outdoor patio suitable for the accommodation of wedding ceremonies and other events;

(vii) Has been designated historically significant by a county historical commission; and

(viii) Is located in any county having a population of more than five hundred thousand (500,000) according to the 2010 federal census or any subsequent federal census;

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

SENATE BILL NO. 1766

PASSED: April 19, 2016



RON RAMSEY
SPEAKER OF THE SENATE



BETH HARWELL, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 27th day of April 2016



BILL HASLAM, GOVERNOR